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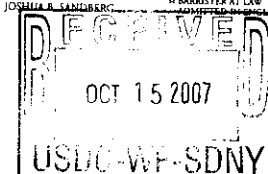
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October 11, 2007

**VIA FACSIMILE (914) 390-4152 &
FIRST CLASS MAIL**

Judge Kenneth M. Karas
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Re: *Elizabeth Margrabe v. Sexter and Warmflash, P.C., et al.*
Case No.: 2798/07 (KMK) (GAY)
KBR File No.: 860.167

Dear Judge Karas:

We represent defendants Sexter & Warmflash, P.C., David Warmflash and Michael Present ("defendants") in the above action. We write following the advice received today from Judge Yanthis' Chambers (and confirmed with Your Honor's Chambers) that the above matter is in fact assigned to Your Honor for the purposes of requesting a non-discovery, pre-motion conference (counsel—both for plaintiff and defendants—had inadvertently been proceeding under the incorrect assumption that Judge Yanthis was presiding over such request).

Accordingly, we respectfully request that Your Honor consider:

1. the attached October 5, 2007 correspondence from defendants to Judge Yanthis *inter alia* requesting permission to move to dismiss plaintiff's Complaint pursuant to Rule 12(b)(6) Fed.R.Civ.P. (defendants request a pre-motion conference in connection with the same); and
2. the attached October 9, 2007 response from plaintiff to Judge Yanthis *inter alia* requesting that the matter be placed on the Suspense Calendar or that the Court entertain a motion to stay proceedings.

(As noted, both of the foregoing correspondences were inadvertently addressed to Judge Yanthis. Should Your Honor desire that the attached be re-addressed to Your Honor, please advise of the same and counsel will of course oblige).